

## OPINION 817

CANCER SETIFERUS LINNAEUS, 1767 (CRUSTACEA, DECAPODA):  
VALIDATION OF A NEOTYPE UNDER THE PLENARY  
POWERS

**RULING.**—(1) Under the plenary powers the selection by Burkenroad (1939, *Bull. Bingham oceanogr. Coll.* 6(6) : 17) of the ♂ specimen numbered B.O.C. 237 to be the neotype of *Cancer setiferus* Linnaeus, 1767, is hereby validated.

(2) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *setiferus* Linnaeus, 1767, as published in the binomen *Cancer setiferus*, as interpreted by the neotype designation by Burkenroad, 1939, validated under the plenary powers in (1) above (Name No. 2200);
- (b) *schmitti* Burkenroad, 1936, as published in the binomen *Penaeus schmitti* (Name No. 2201).

## HISTORY OF THE CASE (Z.N.(S.) 1617)

The present case was submitted to the office of the Commission by Dr. L. B. Holthuis in November 1963. Dr. Holthuis' application was sent to the printer on 28 February 1964 and was published on 7 August 1964 in *Bull. zool. Nomencl.* 21 : 227–229. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* 21 : 184) and to one specialist serial.

Objections to the proposals by Dr. Gordon Gunter were published in *Bull. zool. Nomencl.* 21 : 229–232 and 23 : 76–79. An answer to Dr. Gunter's objection by Dr. Holthuis was published in *Bull. zool. Nomencl.* 21 : 232–234. Dr. Holthuis' proposals were supported by Dr. A. R. Smalley (*Bull. zool. Nomencl.* 22 : 139) and Dr. Gunter's objections by Dr. R. M. Ingle (*Bull. zool. Nomencl.* 21 : 232).

## DECISION OF THE COMMISSION

On 25 January 1967 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (67)6 either for or against the proposal set out in *Bull. zool. Nomencl.* 21 : 229. At the close of the prescribed voting period on 25 April 1967 the state of the voting was as follows:

Affirmative votes—twenty-one (21), received in the following order: Holthuis,\* Brinck, China, Mayr, Lemche, Jaczewski, Munroe, Boschma, Vokes, Tortonese, Uchida, Sabrosky, Bonnet, Obruchev, Binder, Evans, Mertens, Kraus, Forest, Ride, Alvarado.

Negative votes—one (1): Stoll.

Voting Papers not returned—two (2): Hubbs, Simpson.

Prof. do Amaral returned a late affirmative vote.

The following comments were made by Commissioners in returning their votes:

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\* Dr. Holthuis requested that he be counted with the majority

Prof. P. Brinck (1.ii.67): "As far as I can see there would be no need for an action by the Commission under its plenary powers (cf. Holthuis in *Bull. zool. Nomencl.* 21 : 232) since Burkenroad's action must be valid. On the other hand the vitriolic discussion demands an end and the simplest way is to confirm (and definitely validate) Burkenroad's action."

Dr. C. W. Sabrosky (29.iii.67): "I think Gunter has the better of the argument on the probable provenance of the original material of *setiferus* Linnaeus but the proposed action is requested under plenary powers, and it will serve to preserve the widely used name of a commercially important shrimp."

#### ORIGINAL REFERENCES

The following are the original references for names placed on the Official List by the Ruling given in the present Opinion:

*schmitti*, *Penaeus*, Burkenroad, 1936, *Annaes Acad. Brasil. Sci.* 7(4) : 315  
*setiferus*, *Cancer*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 : 1054

#### CERTIFICATE

We certify that the votes cast on Voting Paper (67)6 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 817.

G. OWEN EVANS  
*Secretary*

*International Commission on Zoological Nomenclature*

W. E. CHINA  
*Assistant Secretary*  
*London*  
2 May 1967